## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

V.K. KNOWLTON CONSTRUCTION &	§
UTILITIES, INC.,	§
	§
Plaintiff,	§
	§
v.	§ Civil Action No. SA-10-CV-561-XR
	§
LAGUNA CONSTRUCTION COMPANY,	§
INC.,	§
	§
Defendant.	§

## ORDER ON MOTION TO STAY

On this day, the Court considered the parties' Agreed Motion to Stay the Proceedings (Docket No. 4). "[T]he power to stay proceedings is incidental to the power inherent in every court to control the disposition of the causes on its docket with economy of time and effort for itself, for counsel, and for litigants." *Landis v. North American Co.*, 299 U.S. 248, 254, 57 S.Ct. 163, 81 L.Ed. 153 (1936); *see also McKnight v. Blanchard*, 667 F.2d 477, 479 (5th Cir. 1982) ("The district court has a general discretionary power to stay proceedings before it in the control of its docket and in the interests of justice.").

Defendant removed this case to this Court on July 2, 2010. The dispute forming the basis of this lawsuit involves the construction and installation of a concrete taxiway at Randolph Air Force Base, Texas. The owner of the taxiway and the parties in this case are investigating the causes of the damage to the taxiway. Plaintiff and Defendant claim that they are jointly investigating the cause of the damage and may be able to resolve the disputes with the owner or mitigate damages. To facilitate the investigation, the parties request that the Court stay proceedings for 120 days.

Having considered the parties' reasons for requesting a stay of proceedings and the Court's

docket, the motion is GRANTED.

It is therefore ORDERED that this matter is STAYED until **Monday, November 22, 2010**. This matter will resume on **November 23, 2010**.

It is further ORDERED that the deadline for the parties to consent or not consent to Magistrate Judge jurisdiction, as discussed in the Court's Order & Advisory of July 7, 2010, will be **December 7, 2010**, and the deadline for the Plaintiff to confer with the Defendant as required by Fed. R. Civ. P 26(f) and Local Court Rule CV-16(c) to submit a scheduling order for the Court's consideration will likewise be **December 7, 2010**. Failure to do so may result in the Court entering its own scheduling order.

SIGNED this 23rd day of July, 2010.

XAVIER RODRIGUEZ

UNITED STATES DISTRICT JUDGE

<sup>&</sup>lt;sup>1</sup>Order & Advisory, Jul. 7, 2010 (Docket No. 2).